

Notice of Allowability

Application No.

09/829,488

Examiner

Robert M. Pond

Applicant(s)

MAJEED, MICHAEL

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment (5/17/2006); Examiner's Amendments (Paper #20060927).
2. ☒ The allowed claim(s) is/are 1, 4-18, 21-35, 38-51, 76, 78, 89, 90, and 94-113.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☒ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20060929.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Robert M. Pond
Primary Examiner

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization

Mr. John Kheit for Mr. Walter Hanchuk, Reg. #35,179, provided authorization for this examiner's amendment on 29 September 2006.

Allowed Claims

Claims 1, 4-18, 21-35, 38-51, 76, 78, 89, 90, and 94-113 are allowable over the prior art of record. Claims 2, 3, 19, 20, 36, 37, 52-75, 77, 79-88, and 91-93 are canceled.

In the Claims

The claims as filed 19 July 2001 have been amended as follows:

- Delete claim 1 in its entirety and insert therefore:
 - -1. A method of using a computer system to generate reports, comprising:
 - populating a database with collected commerce information, said
 - collected commerce information including conditional purchase offers
 - submitted by buyers, said conditional purchase offers including,

buyer-specified offer prices for goods or services, for use as a basis for determining levels of demand for the goods or services;

receiving a request specifying criteria for selecting collected commerce information, said criteria generated from requestor selections that includes targeted demand levels for the goods or services;

selecting demand information from collected commerce information based on the requestor selections;

calculating suggested strike prices at targeted demand levels based on the requested targeted demand levels, wherein the strike price is a desired price at which a conditional purchase offer will be accepted;

generating a report of the demand information for the goods or services based on the requestor selections, wherein the demand information includes current demand levels for the goods or services and suggested strike prices; and

transmitting the report to the requestor.- -

- In claim 13, line 2, delete "CPOs" and insert therefore: - -conditional purchase offers- -
- In claim 14, line 2, delete "CPOs" and insert therefore: - -conditional purchase offers- -

- In claim 15, line 2, delete "CPOs" and insert therefore: - -conditional purchase offers- -
- In claim 16, line 2, delete "CPOs" and insert therefore: - -conditional purchase offers- -
- Delete claim 18 in its entirety and insert therefore:

- -18. A medium readable by a processor storing instructions executable by the processor used to generate reports, comprising instructions to:

populate a database with collected commerce information, said collected commerce information including conditional purchase offers submitted by buyers, said conditional purchase offers including, buyer-specified offer prices for goods or services, for use as a basis for to determine levels of demand for the goods or services;

receive a request specifying criteria for selecting collected commerce information, said criteria generated from requestor selections and including targeted demand levels for the goods or services;

select demand information from collected commerce information based on the requestor selections;

calculate suggested strike prices at targeted demand levels based on the requested targeted demand levels, wherein the strike price is a desired price at which a conditional purchase offer will be accepted;

generate a report of the demand information for the goods or services based on the requestor selections, wherein the demand information includes current demand levels for the goods or services and suggested strike prices; and

transmit the report to the requestor.- -

- In claim 30, line 2, delete “CPOs” and insert therefore: - -conditional purchase offers- -
- In claim 31, line 2, delete “CPOs” and insert therefore: - -conditional purchase offers- -
- In claim 32, line 2, delete “CPOs” and insert therefore: - -conditional purchase offers- -
- In claim 33, line 2, delete “CPOs” and insert therefore: - -conditional purchase offers- -
- Delete claim 35 in its entirety and insert therefore:
 - -35. An apparatus used to generate reports, comprising:
 - a processor configured to issue a plurality of processing instructions; and
 - a memory, disposed in communication with the processor, storing instructions executable by the processor, comprising instructions to:
 - populate a database with collected commerce information, said collected commerce information including conditional purchase offers submitted by buyers, said conditional purchase offers including, buyer-specified offer prices for goods or services, which may be used as a basis for to determine levels of demand for the goods or services;
 - receive a request specifying criteria for selecting collected commerce information, said criteria generated from requestor selections and includes targeted demand levels for the goods or services;
 - select demand information from collected commerce information based on the requestor selections;

calculate suggested strike prices at targeted demand levels based on the requested targeted demand levels, wherein the strike price is a desired price at which a conditional purchase offer will be accepted;

generate a report of the demand information for the goods or services based on the requestor selections, wherein the demand information includes current demand levels for the goods or services and suggested strike prices; and

transmit the report to the requestor.- -

- In claim 47, line 2, delete "CPOs" and insert therefore: - -conditional purchase offers- -
- In claim 48, line 2, delete "CPOs" and insert therefore: - -conditional purchase offers- -
- In claim 49, line 2, delete "CPOs" and insert therefore: - -conditional purchase offers- -
- In claim 50, line 2, delete "CPOs" and insert therefore: - -conditional purchase offers- -
- Delete claim 76 in its entirety and insert therefore:
 - -76. A system using a computer to generate reports, comprising:
 - means to traverse a navigation location for a commerce demand system;
 - means to obtain login information;
 - means to provide a desired demand requirement facility;
 - means to obtain a desired demand requirement request in the desired demand requirement facility;
 - means to identify at least one associated database, said associated database including conditional purchase offers submitted by buyers;

means to query the at least one associated database based on a demand survey request;

means to obtain current demand results;

means to compare current demand results to desired demand requirement request;

means to lower strike prices if the current demand results is less than the desired demand requirement request;

means to maintain strike prices unmodified if the current demand results is the same as the desired demand requirement request;

means to raise strike prices if the current demand results is greater than the desired demand requirement request; and

means to generate a report of a change to the strike price.- -

- Delete claim 78 in its entirety and insert therefore:

- -78. A system using a computer to generate reports, comprising:

means to obtain current demand results;

means to query at least one associated database based on a demand survey request, wherein the at least one associated database includes conditional purchase offers submitted by buyers;

means to compare current demand results to a desired demand requirement request;

means to lower strike prices if the current demand results is less than the desired demand requirement request;

means to raise strike prices if the current demand results is greater than the desired demand requirement; and

means to generate a report of a change to the strike price.- -

- Delete claim 89 in its entirety and insert therefore:

- -89. A method using a computer system to generate reports, comprising:

populating a database with collected information for determining levels of demand, said collected information including conditional purchase offers submitted by buyers;

receiving a request specifying criteria for selecting desired portions of collected information, said criteria generated from requestor selections that includes targeted demand levels;

selecting desired portions of collected information based on the requestor selections;

calculating suggested strike prices at the targeted demand levels based on the requested targeted demand levels, wherein the strike price is a desired price at which a conditional purchase offer will be accepted;

generating a report of results of desired portions of collected information from the information selected based on the requestor selections, wherein the information includes current demand levels and suggested strike prices; and

transmitting the report to the requestor.- -

- In claim 102, delete “demand” and insert therefore: - -collected- -
- In claim 103, delete “demand” and insert therefore: - -collected- -
- In claim 103, line 2, delete “CPOs” and insert therefore: - -conditional purchase offers- -
- In claim 104, delete “demand” and insert therefore: - -collected- -
- In claim 104, line 2, delete “CPOs” and insert therefore: - -conditional purchase offers- -
- In claim 105, delete “demand” and insert therefore: - -collected- -
- In claim 105, line 2, delete “CPOs” and insert therefore: - -conditional purchase offers- -
- In claim 106, delete “demand” and insert therefore: - -collected- -
- In claim 106, line 2, delete “CPOs” and insert therefore: - -conditional purchase offers- -
- In claim 107, delete “demand” and insert therefore: - -collected- -

- Add claim 108 in its entirety:
 - -108. A method using a computer to generate reports, comprising:
 - traversing a navigation location for a commerce demand system;
 - obtaining login information;
 - providing a desired demand requirement facility;
 - obtaining a desired demand requirement request in the desired demand requirement facility;
 - identifying at least one associated database, said associated database including conditional purchase offers submitted by buyers;
 - querying the at least one associated database based on a demand survey request;
 - obtaining current demand results;
 - comparing current demand results to desired demand requirement request;
 - lowering strike prices if the current demand results is less than the desired demand requirement request;
 - maintaining strike prices unmodified if the current demand results is the same as the desired demand requirement request;
 - raising strike prices if the current demand results is greater than the desired demand requirement request; and
 - generating a report of a change to the strike price.- -
- Add claim 109 in its entirety:
 - -109. A method using a computer to generate reports, comprising:
 - obtaining current demand results;
 - querying at least one associated database based on a demand survey request, wherein the at least one associated database includes conditional purchase offers submitted by buyers;
 - comparing current demand results to a-desired demand requirement request;
 - lowering strike prices if the current demand results is less than the

desired demand requirement request;

raising strike prices if the current demand results is greater than the desired demand requirement; and

generating a report of a change to the strike price.- -

- Add claim 110 in its entirety:

- -110. An apparatus to generate reports, comprising:

a processor configured to issue a plurality of processing instructions; and

a memory, disposed in communication with the processor, storing instructions executable by the processor, comprising instructions to:

traverse a navigation location for a commerce demand system;

obtain login information;

provide a desired demand requirement facility;

obtain a desired demand requirement request in the desired demand requirement facility;

identify at least one associated database, said associated database including conditional purchase offers submitted by buyers;

query the at least one associated database based on a demand survey request;

obtain current demand results;

compare current demand results to desired demand requirement request;

lower strike prices if the current demand results is less than the desired demand requirement request;

maintain strike prices unmodified if the current demand results is the same as the desired demand requirement request;

raise strike prices if the current demand results is greater than the desired demand requirement request; and

generate a report of a change to the strike price.- -

- Add claim 111 in its entirety:
 - -111. An apparatus to generate reports, comprising:
 - a processor configured to issue a plurality of processing instructions; and
 - a memory, disposed in communication with the processor, storing instructions executable by the processor, comprising instructions to:
 - obtain current demand results;
 - query at least one associated database based on a demand survey request, wherein the at least one associated database includes conditional purchase offers submitted by buyers;
 - compare current demand results to a desired demand requirement request;
 - lower strike prices if the current demand results is less than the desired demand requirement request;
 - raise strike prices if the current demand results is greater than the desired demand requirement; and
 - generate a report of a change to the strike price.- -
- Add claim 112 in its entirety:
 - -112. A medium readable by a processor storing instructions executable by the processor to generate reports, comprising instructions to:
 - traverse a navigation location for a commerce demand system;
 - obtain login information;
 - provide a desired demand requirement facility;
 - obtain a desired demand requirement request in the desired demand requirement facility;
 - identify at least one associated database, said associated database including conditional purchase offers submitted by buyers;
 - query the at least one associated database based on a demand survey request;
 - obtain current demand results;

compare current demand results to desired demand requirement request;

lower strike prices if the current demand results is less than the desired demand requirement request;

maintain strike prices unmodified if the current demand results is the same as the desired demand requirement request;

raise strike prices if the current demand results is greater than the desired demand requirement request; and

generate a report of a change to the strike price.- -

- Add claim 113 in its entirety:

- -113. A medium readable by a processor storing instructions executable by the processor to generate reports, comprising instructions to:

obtain current demand results;

query at least one associated database based on a demand survey request, wherein the at least one associated database includes conditional purchase offers submitted by buyers;

compare current demand results to a-desired demand requirement request;

lower strike prices if the current demand results is less than the desired demand requirement request;

raise strike prices if the current demand results is greater than the desired demand requirement; and

generate a report of a change to the strike price.- -

Reasons for Allowability

The following is an examiner's statement of reasons for allowance: The field of the invention pertains to a method and system for reporting dynamic demand levels of conditional purchase offers from buyers that are used to change current levels of demand to desired demand levels specified by a user by affecting changes to strike prices in order to achieve desired demand levels.

Pertaining to method claim 1: no prior art of record discloses nor teaches and suggests the combination of calculating strike prices based on current demand levels and targeted demand levels of conditional purchase offers submitted by buyers whereby the calculated strike price will result in a conditional purchase offer to be accepted. The benefit is to increase acceptance of conditional offers which may otherwise expire or remain rejected by service providers.

Claims 18, 35, 76, 78, 89, and 108-113 are allowable over the prior art for the same rationale as noted above for claim 1.

Closest US Patents/Patent Publications

US 2001/0044788 (Demir)

Demir discloses a system and method of dynamic-risk pricing for air charter services to increase utilization of a charter airplane. Demir's system and method is based on receiving trip request information and setting a discount price based on optimizing the logistics of a charter service. Demir fails to disclose calculating suggested strike prices at targeted demand levels based on the requested targeted demand levels, wherein the strike price is a desired price at which a conditional purchase offer will be accepted. Demir fails to disclose the use of conditional purchase offers as commerce information necessary to calculate a strike price. Specifically, Demir's system and method is seller-side driven in determining a discount price and teaches away from the Applicant's claimed invention based on buyer-side dynamics pertaining to the use of conditional purchase offers.

US 6,581,054 (Bogrett)

Bogrett discloses a system and method of generating database queries for the purpose of extracting and analyzing business intelligence data. Bogrett discloses the mechanics of a database query interface and report generation but fails to disclose affecting business change based in part of demand levels of conditional purchase offers. Bogrett fails to disclose calculating suggested strike prices at targeted demand levels based on the requested targeted demand

levels, wherein the strike price is a desired price at which a conditional purchase offer will be accepted. Bogrett fails to disclose the use of conditional purchase offers as commerce information necessary to calculate a strike price.

Closest Non-patent Literature

A separate search strategy focused on potential use of report generation tools used by assignee Priceline.com and its relationship with companies providing business intelligence/analysis reporting tools. Prior art identifies Brio Technology and Informatica providing business intelligence tools and platforms. Prior to the filing date of the instant application, Priceline.com was a customer of both Brio Technology and Informatica and indirectly linked to Navigant, but the evidence is insufficient to support a rejection of the instant claims as amended on the basis of intended use of business intelligence tools. The closest non-patent literature extracted from Dialog, Proquest, and Internet Archive failed to show any single document or combination of documents that provided specific disclosures pertaining to Priceline.com's use of reporting tools. Omitting Priceline.com from the keyword search failed to produce any single document or combination of documents that disclosed specifics that read on the Applicant's instant claims. The following documents are the closest prior art reviewed:

- "BRIO TECHNOLOGY: Brio Technology reports record second quarter revenues and earnings," M2 Presswire, 22 October 1999, Proquest # 45785434, 2pgs.

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- "Navigant International launches unique Internet-accessible, intuitive reporting platform," PR Newswire, 18 January 2001, Proquest #66886472, 5pgs.
- De Marco, Donna; "Travelers go online to make their vacation arrangements," Washington Times, 03 April 2000, Proquest #52162893, 6pgs.
- Brio Technology; "Next Wave in Business Intelligence," Internet Archive Wayback Machine (www.archive.org); www.brio.com; 03,04 March 2000, 17 pgs.
- Brio Technology; "Brio One," Internet Archive Wayback Machine (www.archive.org); www.brio.com; 15 August 2000, 4 pgs.
- Brio Technology; "Brio.Impact," Internet Archive Wayback Machine (www.archive.org); www.brio.com; 15 August 2000, 4 pgs.
- "Brio introduces Impact 4.5 revenue process optimization application for the enterprise," PR Newswire, 29 June 2000; Proquest #55632043, 3pgs.
- Hjermstad, Megan; "Navigant offers web reports," Business Travel News, 29 January 2001, v18i2pg1, Proquest #68129990, 4pgs.
- Tyo, Jay; "The web of reports," InformationWeek, 18 May 1998, Proquest #29689904, 11 pgs.
- "Informatica and Brio accelerate deployment of data warehousing solutions on Microsoft SQL Server," PR Newswire, 17 Jun 1998, Proquest #30251028, 4pgs.

Cited prior in previous office action

Non-patent literature was cited in the previous non-final office action. The Applicant's arguments are persuasive. The combination of PRI (Paper #20051114, PTO-892, Items: U and V) in view of IQS (Paper #20051114, PTO-892, Item: W) is withdrawn. The conclusions drawn from the combination of prior art pertaining to Information Advantage and Prime Response employs impermissible hindsight to ascribe and interpret various features to the references that are not present in the references. Further, the office action asserts that the references teach various features that are not aligned to claim elements. Furthermore, reliance upon Information Advantage's published international application prior art reference (WO 99/57658, "System and Method for updating a multi-dimensional database," 11 November 1999) neither discloses the claimed subject matter nor offers a remedy for the combination of prior art as noted above.

Closest Foreign Literature

EP 1081611 (Cognos) discloses a system and method of a query engine that formulates a data source query to obtains data from one or more data sources. The extracted data is used for business intelligence gathering purposes. Cognos suffers the same deficiencies in disclosing the claimed subject matter as Bogrett. Cognos discloses the mechanics of a database query interface and report generation but fails to disclose affecting business change based in part of demand levels of conditional purchase offers. Cognos fails to disclose calculating suggested strike prices at targeted demand levels based on the requested targeted demand levels, wherein the strike price is a desired price at which a conditional purchase offer will be accepted. Cognos fails to disclose the use of conditional purchase offers as commerce information necessary to calculate a strike price.

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Pond whose telephone number is 571-272-6760. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Jeff Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service

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Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Robert M. Pond', is written over the printed name.

Robert M. Pond
Primary Examiner
September 27, 2006